

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

FILED
UNITED STATES DISTRICT COURT
DISTRICT OF NEW MEXICO

01 FEB 28 PM 3:09 *W*

STATE OF NEW MEXICO *ex rel.*
State Engineer,

Plaintiff,
v.

ROMAN ARAGON, *et al.*,

Defendants.

Robert M. M...
69cv07941 JEC-ACE CLERK-SANTA FE

RIO CHAMA STREAM SYSTEM
Rio Gallina, Section 5

NOTICE OF FILING OF WAIVERS OF SERVICE

COMES NOW plaintiff State of New Mexico, ex rel. State Engineer, and gives
notice of the filing of original signed copies of waivers of service by the defendants
in Rio Gallina, Section 5 of the Rio Chama Stream System named below:


DEFENDANT NAME

CHACON, FULGENCIO
CHACON, JOSE B.
PEDERSON, JULIE

SUBFILE No.

CHGA-02-0004
CHGA-02-0004
CHGA-02-0016

Respectfully submitted


EDWARD G. NEWVILLE
Special Assistant Attorney General
Office of the State Engineer
P.O. BOX 25102
Santa Fe, NM 87504-5102
(505) 827-6150

CERTIFICATE OF SERVICE

I certify that copies of the above Notice of Filing were mailed to the following persons

on 28 day of Feb., 2001.


Edward G. Newville

SECTION 5 DISTRIBUTION LIST

Special Master Vickie L. Gabin
USDC-DCNM
P.O. Box 2384
Santa Fe, New Mexico 87504-2384

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Adjudication Staff Attorney
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Albuquerque, NM 87102-2272

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IN THE UNITED STATES DISTRICT COURT
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69cv07941 JEC:ACE

CLERK-SANTA FE

RIO CHAMA STREAM SYSTEM
Rio Gallina, Section 5

Subfile No. CHMA 02-004

WAIVER OF SERVICE OF SUMMONS

To: Edward G. Newville
State Engineer Office
P.O. Box 25101
Santa Fe, NM 87504-5102

I acknowledge receipt of your request that I waive service of a summons in the action of State of New Mexico *ex rel.* State Engineer v. Aragon, which is case number CV 7941-JC in the United States District Court for the District of New Mexico. I have also received a copy of the complaint in the action, two copies of this instrument, and a means by which I can return the signed waiver to you without cost to me.

I agree to save the cost of service of a summons and an additional copy of the complaint in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.

I (or the entity on whose behalf I am acting) will retain all defenses or objections to the adjudication suit or to the jurisdiction or venue of the court except for objections based on a defect in the summons or in the service of the summons.

I understand that a judgment may be entered against me (or the party on whose behalf I am acting) if an answer or motion under Rule 12 is not served upon the State within 60 days after the date when the request for waiver was sent, or within 90 days after that date if the defendant was addressed outside any judicial district of the United States.

Fulgencio Chacon
Signature FULGENCIO CHACON

P.O. Box 24, Gallina, NM
Address 87017

Fulgencio Chacon
Printed or typed name

12/10/00 RECEIVED
Date

DEC 20 2000

OFFICE OF THE STATE ENGINEER
LEGAL SERVICES DIVISION

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Signature

JULIE PEDERSON

Printed or typed name

Julie M Pederson

Address

1037 Dunbar St Houston TX

77009

Date

2/13/2001

RECEIVED

FEB 20 2001

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LEGAL SERVICES DIVISION

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Signature JOSE B. CHACON

413 Christine Dr NE
Address Rio Rancho, NM 87124

(505) 891-8650


Printed or typed name

12-13-00
Date

RECEIVED

DEC 20 2000